

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Applicant thanks the Examiner for the courtesies extended during the telephone interview on February 18, 2005.

Applicant has amended Figures 3, 9, and 11 to remove the additional crotch slot so that these figures conform to the remaining figures in the application. Applicant also has amended the specification at paragraph [0024] to indicate that alternative pad embodiments can include two crotch slots. By these amendments, Applicant has merely taken the illustrated additional crotch slot and explicitly described it in the specification. Applicant submits that the amendment to the specification does not add any new matter to the application.

Claims 1-13 were pending in this application. Claims 1, 2, 10, and 12 have been amended, and claim 14 has been added. Claims 1-14 are respectfully submitted for reconsideration.

The Office Action objects to claims 2 and 12 for informalities. Applicant has amended claims 2 and 12 to change “like” to “corresponding,” as suggested in the Office Action. Accordingly, Applicant requests that the objection be withdrawn.

Claims 1-9 are rejected under 35 USC 102(b) as anticipated by Pepys et al. (USP 5,735,576). Applicant requests withdrawal of this rejection for at least the following reason.

Claim 1, as amended, defines a cover for a child seat that includes a pad. The pad of claim 1 includes “a bottom portion to substantially cover the seat bottom of the seat, . . . and two side bolster portions, each of the side bolster portions including . . . a second portion joined to the bottom portion of the pad.” Pepys et al. does not teach or suggest such side bolster portions including a second portion. As can be seen in FIGS. 3 and 4 of Pepys et al., which illustrate the two extreme configuration ranges of the support 10, side bolster portions are not joined to the area of the support 10 over the seat bottom of the seat. For at least this

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 3, 9, and 11 are being presented as new formal drawing sheets to be substituted for the previously submitted drawing sheets. Figures 3, 9, and 11 have been amended to remove the additional crotch slot so that these figures conform to the remaining figures of the application. Appended to this amendment is an annotated copy of the previously submitted drawing sheets which have been marked to show where the changes presented in the replacement sheets occur.

reason, Applicant submits that claim 1 and its dependent claims 2-9 are not anticipated by Pepys et al. under 35 USC 102(b).

Claims 1-2, 4-5, and 7-8 are rejected under 35 USC 102(e) as anticipated by Gold et al. (USP 6,752,457). Applicant requests withdrawal of this rejection for at least the following reason.

Claim 1, as amended, defines a cover for a child seat that includes a pad. The pad of claim 1 includes “a bottom portion to substantially cover the seat bottom of the seat, a backrest portion joined to the bottom portion to substantially cover the backrest of the seat, and two side bolster portions, each of the side bolster portions including a first portion joined to the backrest portion of the pad and a second portion joined to the bottom portion of the pad, the first and second portions being separable from each other.” By comparison, Gold et al. discloses an adjustable support cushion 10 that includes an upper panel 11, a lower panel 32, and trapezoidal side flaps 12, 14 that are removably secured to panels 11, 32. Unlike the side bolster portions of claim 1, which include “first and second portions [that are] separable from each other,” the trapezoidal side flaps 12, 14 of Gold et al. are one-piece structures. The portion of the side flaps 12, 14 that joins to the upper panel 11 and the portion of the side flaps 12, 14 that joins to the lower panel 32 cannot separate from each other. For at least this reason, Applicant submits that claim 1 and its dependent claims 2, 4-5, and 7-8 are not anticipated by Gold et al. under 35 USC 102(e).

Claims 3, 6, and 9 are rejected under 35 USC 103(a) as unpatentable over Gold et al. in view of Pepys et al. Claims 3, 6, and 9 depend from claim 1. Claim 1 is patentable over Gold et al. for at least the above-described reason. Applicant submits that claims 3, 6, and 9 are patentable over Gold et al. for at least this same reason.

Claims 10-13 are rejected under 35 USC 103(a) as unpatentable over Gold et al. in view of Noble (USP 5,842,739). Applicant requests withdrawal of this rejection for at least the following reason.

Claim 10, which has been placed in independent form, defines a cover for a child seat that includes “a pair of lap strap slots through the pad to accommodate the respective lap straps, each of the lap strap slots extending outwardly to the adjacent side slot.” As conceded in the Office Action, Gold et al. does not teach or suggest such lap strap slots. Applicant submits that Noble does not either. Noble discloses side slits 64, 66 that provide mobility for flaps 6, 8 relative to main body 4. The side slits 64, 66 of Noble are not at the same location on Noble’s support as the lap strap slots (e.g., 150, 250) of claim 10, which extend *outwardly* to the adjacent side slot that extends along the junction between the backrest portion and the respective side bolster portion of the pad. Accordingly, even if the support cushion of Gold et al. were modified to include the side slits 64, 66 of Noble, the resulting support cushion would not include lap strap slots as defined in claim 10. See Interview Summary dated February 28, 2005. For at least this reason, Applicant submits that claim 10 and its dependent claims 11-13 are not rendered obvious by Gold et al. and Noble under 35 USC 103(a).

Applicant notes that the Interview Summary states that the side slits 64, 66 of Noble are “equivalent to” to the release slots of the present invention. Applicant would like to clarify that, although the side slits 64, 66 of Noble are at the same location as the release slots of the present invention, differences exist between the release slots and the side slits 64, 66. For example, the release slot of claim 4 has mating separable fastening elements at its margins, which are not taught or disclosed by Noble.

Claims 11-13 are rejected under 35 USC 103(a) as unpatentable over Pepys et al. in view of Noble. For at least the following reason, Applicant requests withdrawal of this rejection.

Claims 11-13 depend from claim 10 and, as such, require “a pair of lap strap slots through the pad to accommodate the respective lap straps, each of the lap strap slots extending outwardly to the adjacent side slot.” The Office Action concedes that Pepys et al. does not teach or suggest lap strap slots. As explained above, Noble does not either. Accordingly, Applicant submits that claims 11-13 are not rendered obvious by Pepys et al. and Noble under 35 USC 103(a).

Applicant has added new claim 14 to the application. Claim 14 defines a cover for a child seat that includes a one-piece pad sized and contoured to substantially conform to the front surface of the seat. The pad includes a bottom portion to substantially cover the seat bottom of the seat, a backrest portion joined to the bottom portion to substantially cover the backrest of the seat, and two side bolster portions joined to the backrest portion and the bottom portion. The cover also includes a crotch slot through the bottom portion of the pad to accommodate the buckle assembly; a pair of side slots through the pad, each side slot extending at least partially along the junction between the backrest portion and a respective side bolster portion; a pair of back slots through the backrest portion of the pad to accommodate the respective shoulder straps, each of the back slots extending outwardly to the adjacent side slot; and mating separable fastening elements at the margins of each of the side slots to releasably close the side slots. Applicant submits that claim 14 is patentable over the references relied upon in the Office Action.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 CFR 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 7, 2005

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Annotated
Title: CHILD SEAT COVER
Inventor(s): Kelly L. RUNK
Appl. No.: 10/798,895

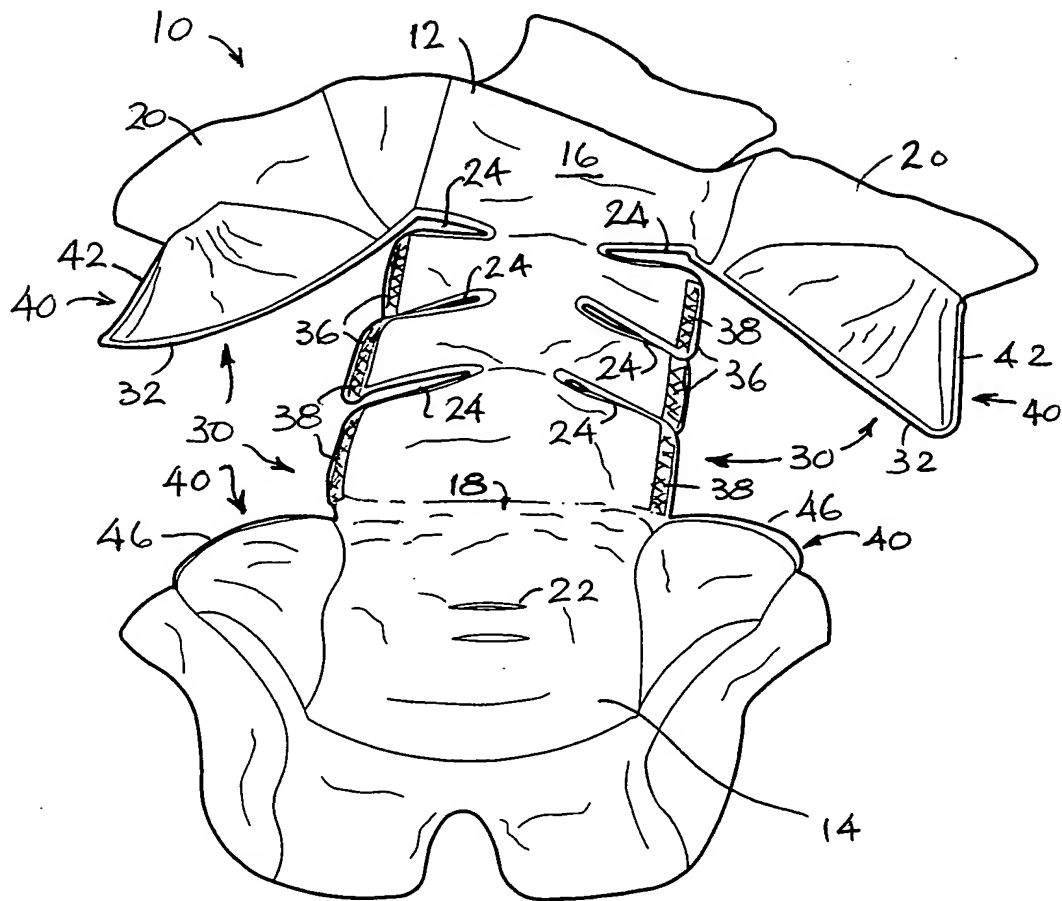
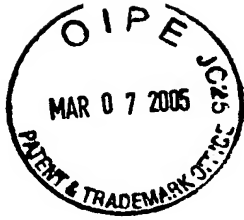


FIG. 3



Annotated
Title: CHILD SEAT COVER
Inventor(s): Kelly L. RUNK
Appl. No.: 10/798,895

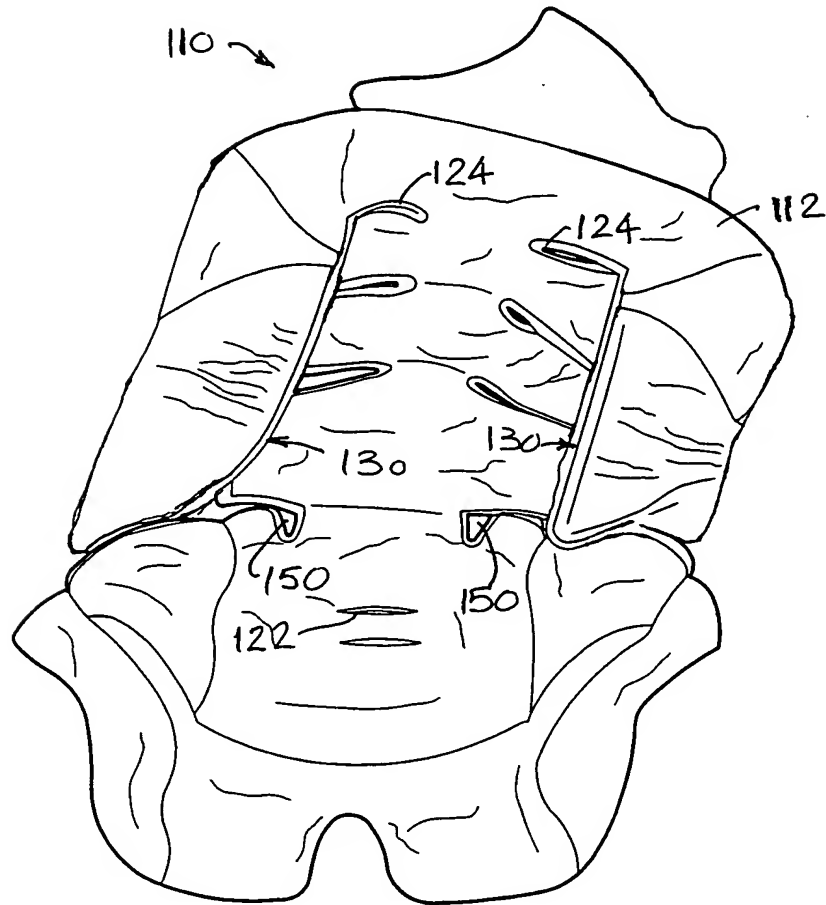


FIG. 9



Annotated
Title: CHILD SEAT COVER
Inventor(s): Kelly L. RUNK
Appl. No.: 10/798,895

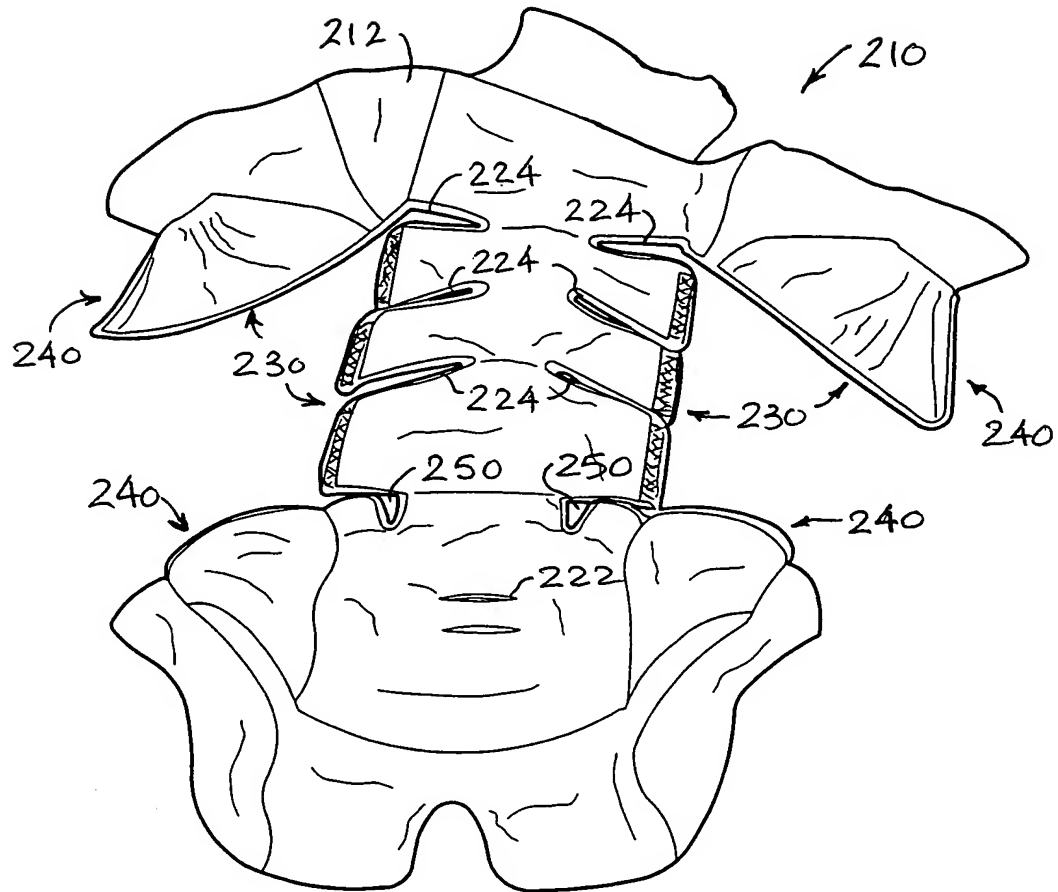


FIG. 11